

SPEAKER BARRETT: Thank you. Members, please return to your seats for Final Reading. We'll begin with 523E. Members, please return to your seats. (Gavel.) While we're waiting to begin, Senator Hannibal announces the following guests in the Legislature. In the north balcony we're going to have 72 fourth graders on their way in from Harvey Oaks School in Omaha with their teacher. Would members please return to your seats for Final Reading. We are under call. Members, please return to your seats in anticipation of Final Reading. Proceed, Mr. Clerk.

CLERK: Mr. President, I have a motion. Senator Abboud would move to return the bill for a specific amendment. (Abboud amendment appears on page 2725 of the Legislative Journal.)

SPEAKER BARRETT: Senator Abboud.

SENATOR ABOUD: Mr. President, colleagues, we have a problem with LB 523. We have a lot of problems, that's right. One problem that we have is that it is unconstitutional at this time. Sometimes that is a problem in here, sometimes it's not, but it's always a problem as far as the Attorney General is concerned and it's always a problem as far as the State Supreme Court is concerned when they look at bills that we enact into law. LB 523 was a bill that started out to be a good bill. It was a revenue bill, but then it became Christmas treed with a number of different proposals. One particular proposal offered by Senator Johnson provided for...it was an amendment that was offered that provided for some changes with video slot machines. That particular amendment...that particular amendment provided for the allowance of games being played up to...there was an exemption that provided for a limit of 15 games for a lottery machine. Now Senator Howard Lamb requested an Attorney General's Opinion on this particular amendment. At the time I had a kill motion on the bill but I had told the introducers of the bill, Senator Vard Johnson, that I was willing to look into the issue to see whether, in fact, the law was unconstitutional as a result of the amendment being attached. Now, there was no doubt in my mind that the Nebraska Constitution, Article III, Section 24 clearly provided that this was an unconstitutional amendment to be offered. As I stated earlier when we discussed gambling on a number of other bills, Article III, Section 24, and you can follow along. I handed out the Attorney General's Opinion. It states clearly that the Legislature shall not authorize any game of chance, nor any lottery, or gift enterprise. Then it goes on and it provides for three specific